

Message Text

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ORIGIN STR-04

INFO OCT-01 IO-13 ISO-00 FEA-01 AGRE-00 CEA-01 CIAE-00
COME-00 DODE-00 EB-07 FRB-03 H-01 INR-07 INT-05 L-03
LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15
ITC-01 TRSE-00 USIA-06 PRS-01 SP-02 OMB-01 AF-08
ARA-06 EA-07 EUR-12 NEA-10 /131 R

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EB/OT/TA:RWHITE
LABOR:FLAVALLEE
TREASURY:BSTANDARD
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FM SECSTATE WASHDC
TO USDEL MTN GENEVA

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E.O. 11652: N/A

TAGS: ETRD, MTN

SUBJECT: NOTIFICATION/CONSULTATION ON CUSTOMS PROBLEMS

REF: (A) MTN GENEVA 8551
(B) WILSON-NEWKIRK TELECON 11/29/76

1. AT OCTOBER MEETING OF NTM SUBGROUP ON CUSTOMS MATTERS
U.S. DEL PROPOSED NOTIFICATION/CONSULTATION PROCEDURES ON
CUSTOMS PROBLEMS FALLING WITHIN MANDATE OF SUBGROUP.
ALTHOUGH ORIGINAL INTENT WAS TO LIMIT COVERAGE OF PROPOSAL
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TO NON-VALUATION ITEMS, U.S. DEL, DRAWING ON GENERAL U.S.
POSITION IN MTN THAT U.S. IS WILLING TO MEET AT ANY TIME
ON ANY ISSUE WITH ANY DELEGATION, AGREED TO LEAVE COVERAGE
OF PROPOSAL OPEN-ENDED IN ORDER TO ACCOMMODATE NORDICS.
U.S. PROPOSAL WAS NOT ACCEPTED AT MEETING BECAUSE OF
UNWILLINGNESS OF CERTAIN LDCS, PARTICULARLY ARGENTINA, TO

ACCEPT PROPOSAL THAT COVERED CONSULAR FORMALITIES AND FEES.

2. AFTER HAVING REFLECTED ON U.S. PROPOSAL WE ARE CONCERNED THAT OPEN-ENDED COVERAGE OF PROPOSAL MIGHT RESULT IN NUMEROUS NOTIFICATIONS/CONSULTATIONS ON U.S. VALUATION PRACTICES. WE BELIEVE THAT VALUATION WORK PROGRAM OF SUBGROUP IS SUFFICIENT TO RESOLVE ANY PROBLEMS COUNTRIES ENCOUNTER IN VALUATION AREA, BOTH WITH U.S. PRACTICES AND

THOSE OF OTHERS. FURTHERMORE, WE FEAR THAT NOTIFICATIONS/CONSULTATIONS ON U.S. VALUATION PRACTICES UNDER THIS PROPOSAL COULD DIVERT SUBGROUP'S ONGOING EFFORTS ON VALUATION AND COULD SERIOUSLY JEOPARDIZE SUCCESSFUL OUTCOME OF THOSE EFFORTS.

3. WE NOTE THAT MTN DEL IS PRESENTLY DISCUSSING WITH ARGENTINA A REFORMULATION OF THE PROPOSAL TO MAKE IT ACCEPTABLE TO THEM. WE FEEL THAT THESE DISCUSSIONS WITH ARGENTINA PRESENT AN OPPORTUNITY FOR U.S. TO MODIFY PROPOSAL IN A WAY THAT WILL ALSO ADEQUATELY MEET OUR CONCERNS ABOUT COVERAGE OF PROPOSAL.

4. ACTION REQUESTED: MTN DEL REQUESTED TO MEET AGAIN WITH ARGENTINIANS TO DETERMINE IF THEY COULD ACCEPT A PROPOSAL IN WHICH POINT 3 UNDER "PROCEDURES" OF CURRENT U.S. PROPOSAL (MTN/NTM/W/64) WOULD BE MODIFIED TO READ, "IF INTERESTED DELEGATIONS FEEL IT APPROPRIATE, CONSULTATIONS WOULD BE ARRANGED AND HELD ON A BILATERAL BASIS TO DISCUSS THE NOTIFICATIONS, DETERMINE THEIR ACCURACY, AND EXPLORE POSSIBLE SOLUTIONS TO THE PROBLEMS RAISED IN THE LIMITED OFFICIAL USE

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NOTIFICATIONS." SUCH LANGUAGE, BESIDES ACCOMMODATING ARGENTINIANS, WOULD GIVE U.S. FLEXIBILITY TO DECLINE TO CONSULT UNDER THESE PROCEDURES ON ANY NOTIFICATIONS THAT MIGHT BE MADE AGAINST U.S. VALUATION PRACTICES. IN THE EVENT THAT U.S. RECEIVES REQUESTS FOR CONSULTATIONS ON U.S. VALUATION PRACTICES, THE STANDARD U.S. RESPONSE WOULD BE: (1) THE PROBLEM NOTIFIED IS BEING ADEQUATELY DEALT WITH IN THE SUBGROUP'S WORK PROGRAM ON VALUATION. (2) WE WOULD PREFER TO CONTINUE TO DEAL WITH PROBLEM IN THAT CONTEXT. FYI: OF COURSE, MTN DEL COULD CONTINUE TO MEET INFORMALLY ON ANY VALUATION ISSUE WITH ANY DEL. THIS SHOULD MEET THE NORDICS' CONCERNS. END FYI.

5. IF ABOVE-SUGGESTED LANGUAGE IS ACCEPTABLE TO ARGENTINIANS, MTN DEL SHOULD SUBMIT REVISED PROPOSAL WITH SUCH LANGUAGE TO SECRETARIAT. IF ARGENTINIANS CANNOT ACCEPT THIS LANGUAGE, MTN DEL SHOULD REQUEST FURTHER INSTRUCTIONS.

ROBINSON

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Margaret P. Grafeld
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